IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CWP No.: 841 of 2002.

Decided on: 17.4.2007.

Sanjay Kumar

… … … Petitioner.

Versus

State of H.P. & ors.

… … … Respondents.

Coram:

The Hon'ble Mr. Justice Rajiv Sharma, J.

Whether approved for reporting? No.

For the petitioner:	**Mr. R.K. Gautam, Sr. Advocate with Naveen K. Bhardwaj, Advocate**
For Respondents No.1& 2:	**Mr. M.S. Chandel, Advocate General with Ms. Meenakshi Sharma Deputy Advocate General.**
For Respondent No.3:	**Mr. Balwant Kukreja, Advocate.**

Rajiv Sharma, Judge (Oral):

By way of this petition Annexure P-H has been assailed whereby a decision was taken for rehabilitation/resettlement of the Sick Polythene Bags manufacturing units situated in Himachal Pradesh after the issuance of Annexure P-A. The petitioner has placed on record the copy of judgment dated 15.3.2001 rendered in CWP bearing No.670 of 2000 vide Annexure P-G, filed by Shri Purshotam Lal. While disposing of the petition

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Whether reporters of local papers may be allowed to see the judgment? No.

This Court has permitted Shri Purshotam Lal to make a representation to the respondents for redressal of his grievances.

Consequently, a meeting regarding rehabilitation/resettlement of Sick Polythene Bags manufacturing units situated in Himachal Pradesh took place on 28th May, 2001 whereby the following decisions were taken:-

i) The units interested for OTS may submit their proposals to HPFC within 15 days. The same may be considered by the Corporation favourably as per the rules.

ii) The OTS proposals of the units financed by the banks may be considered by the respective banks as per new RBI directions.

iii) The proposal to reduce the sales tax from 30% to some lower slab which may be at par with the rate of sales tax applicable in the adjoining States may considered by Secretary (E&T) to the Govt. of H.P.

iv) The proposals to ban the manufacturing of polyethylene bags for thickness less than 20 micron may be examined jointly by Industries Department, H.P. Pollution Control Board and Science, Tech. & Environment."

I have gone through the proceedings of the meeting and after going through the contents of the same, I am of the view that a reasonable decision has been taken towards the rehabilitation of the petitioner and similarly situated persons who were effected after the issuance of Annexure P-A. The rehabilitation of the sick industries is a matter of Policy to be taken by the State Government in its own wisdom. This Court cannot direct the respondent-State to frame a particular Policy for the rehabilitation of sick units.

Accordingly, there is no merit in the writ petition and the same is dismissed. Before parting with the judgment, the respondents are directed

to ensure that the decisions as reproduced above be implemented if the petitioner and similarly situated persons approach the authorities mentioned therein without taking the plea of delay. No order as to costs.

(Rajiv Sharma)
Judge

April 17, 2007.
(sck)